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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE GUADALUPE LOPEZ-ZAMORA,
LEONARDO FLORES BELTRAN,
JASON LAMAR LEE,
BAUDELIO VIZCARRA, JR.,
JOAQUIN ALBERTO SOTELO VALDEZ,
RUDI JEAN CARLOS FLORES,
ERIKA GABRIELA ZAMORA ROJO,
ALEJANDRO TELLO,
JAVIER HERNANDEZ,
MATEO ELIAS GUERRERO-GONZALES,
and
JOSE LUIS AGUILAR SAUCEDO,

Defendants.

CASE NO. 2:21-CR-0007-MCE

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

DATE: April 29, 2021
TIME: 10:00 a.m.
COURT: Hon. Morrison C. England, Jr.

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and the above-captioned defendants, by and through their respective counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on April 22, 2021.

2. On April 15, 2021, the Court continued the status conference to April 29, 2021, on the Court's own motion. ECF No. 141. The Court's minute order states that: "The parties are encouraged to file a Notice of Exclusion of Time if amendable and applicable." *Id.*

3. By this stipulation, defendants now move to continue the status conference until August 26, 2021, and to exclude time between April 22, 2021, and August 26, 2021, under Local Codes T2 and T4.

4. The parties agree and stipulate, and request that the Court find the following:

a) The grand jury returned an indictment in this case on January 28, 2021. Fourteen defendants are named in the publicly filed indictment. The names of two additional defendants who have not yet been arrested are redacted from the publicly filed indictment.

b) On February 24, 2021, defendant Mateo Guerrero-Gonzales made his initial appearance in the case and was arraigned on the Indictment. ECF No. 111.

c) On March 5, 2021, defendant Javier Hernandez made his initial appearance in the case and was arraigned on the Indictment. ECF No. 123.

d) On April 13, 2021, defendant Baudelio Vizcarra, Jr. made his initial appearance in the case and was arraigned on the Indictment. ECF No. 137. Defense counsel Tamara Soloman was appointed to represent defendant Vizcarra.¹ Since then, Ms. Soloman has informed the government that the defendant has retained private counsel who will be filing a substitution of counsel soon.

e) The government has represented that the discovery associated with this case to date includes approximately 7,401 pages of materials, including investigative reports, photographs, search warrant materials, and other documents, as well as voluminous audio and video recordings and approximately 978 recorded phone calls intercepted pursuant to the Title III wiretap in this case. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.²

¹ On April 22, 2021, new retained counsel for defendant Vizcarra filed a notice of substitution of counsel to replace Ms. Soloman as counsel. ECF No. 147. The substitution is pending approval by the Court.

² The discovery will be produced to new counsel for defendant Vizcarra once the substitution of counsel has been approved.

1 f) Counsel for defendants need additional time to review the voluminous discovery
2 in this case, to conduct independent factual investigation, to research trial and sentencing issues,
3 to consult with their clients, and to otherwise prepare for trial.

4 g) Counsel for defendants believe that failure to grant the above-requested
5 continuance would deny them the reasonable time necessary for effective preparation, taking into
6 account the exercise of due diligence.

7 h) The government does not object to the continuance.

8 i) In addition, this case is “complex” within the meaning of 18 U.S.C.
9 § 3161(h)(7)(A), B(ii) [Local Code T2], as this Court previously found in its February 10, 2021
10 Order (ECF No. 103) and subsequent orders.

11 j) Based on the above-stated findings, the ends of justice served by continuing the
12 case as requested outweigh the interest of the public and the defendant in a trial within the
13 original date prescribed by the Speedy Trial Act.

14 k) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
15 et seq., within which trial must commence, the time period of April 22, 2021 to August 26, 2021,
16 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
17 and 18 U.S.C. § 3161(h)(7)(A), B(ii) [Local Code T2] because it results from a continuance
18 granted by the Court at defendant’s request on the basis of the Court’s finding that the ends of
19 justice served by taking such action outweigh the best interest of the public and the defendant in
20 a speedy trial.

21 5. Nothing in this stipulation and order shall preclude a finding that other provisions of the
22 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
23 must commence.

24 IT IS SO STIPULATED.

1 Dated: April 22, 2021

PHILLIP A. TALBERT
Acting United States Attorney

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3 /s/ DAVID W. SPENCER
DAVID W. SPENCER
Assistant United States Attorney

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5 Dated: April 22, 2021

/s/ Todd D. Leras
Todd D. Leras
Counsel for Defendant
JOSE GUADALUPE LOPEZ-
ZAMORA

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8 Dated: April 22, 2021

/s/ Christopher R. Cosca
Christopher R. Cosca
Counsel for Defendant
LEONARDO FLORES BELTRAN

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11 Dated: April 22, 2021

/s/ Olaf W. Hedberg
Olaf W. Hedberg
Counsel for Defendant
JASON LAMAR LEE

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14 Dated: April 22, 2021

/s/ Tamara Soloman
Tamara Soloman
Counsel for Defendant
BAUDELIO VIZCARRA, JR.

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17 Dated: April 22, 2021

/s/ Michael D. Long
Michael D. Long
Counsel for Defendant
JOAQUIN ALBERTO SOTELO
VALDEZ

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21 Dated: April 22, 2021

/s/ Tasha P. Chalfant
Tasha P. Chalfant
Counsel for Defendant
RUDI JEAN CARLOS FLORES

1 Dated: April 22, 2021

/s/ Martin Tejeda
Martin Tejeda
Counsel for Defendant
ERIKA GABRIELA ZAMORA ROJO

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4 Dated: April 22, 2021

/s/ Michael Jared Favero
Michael Jared Favero
Counsel for Defendant
ALEJANDRO TELLO

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7 Dated: April 22, 2021

/s/ Kelly Babineau
Kelly Babineau
Counsel for Defendant
JAVIER HERNANDEZ

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10 Dated: April 22, 2021

/s/ Eduardo Garnica
Eduardo Garnica
Counsel for Defendant
MATEO ELIAS GUERRERO-
GONZALES

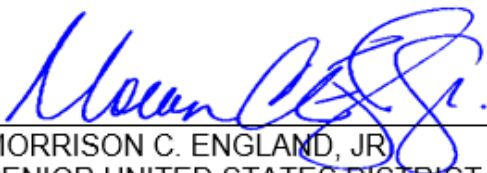
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13 Dated: April 22, 2021

/s/ Dina L. Santos
Dina L. Santos
Counsel for Defendant
JOSE LUIS AGUILAR SAUCEDO

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17 **ORDER**

18 IT IS SO ORDERED.

19 DATED: April 27, 2021

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MORRISON C. ENGLAND, JR.
22 SENIOR UNITED STATES DISTRICT JUDGE
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